

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

WILLIAM W. BURGESS, JR.,)	
Register No. 526336,)	
)	
Plaintiff,)	
)	
v.)	No. 05-4111-CV-C-SOW
)	
DAVE DORMIRE, et al.,)	
)	
Defendants.)	

REPORT, RECOMMENDATION AND ORDER

Plaintiff William W. Burgess, Jr., an inmate confined in a Missouri penal institution, brought this case under the Civil Rights Act of 1871, 42 U.S.C. § 1983, and its corresponding jurisdictional statute, 28 U.S.C. § 1343. This case was referred to the undersigned United States Magistrate Judge for processing in accord with the Magistrate Act, 28 U.S.C. § 636, and L.R. 72.1.

Pursuant to the telephone conference held on August 1, 2006, it is hereby

ORDERED that within two weeks, defendants hand-deliver to plaintiff their responses to plaintiff's interrogatories, and plaintiff's medical records for the dates of October 12, 2004, through the present date; and provide the court a copy of such medical records for in-camera review. It is further

ORDERED that in light of this court's order and because the further discovery requests are not likely to lead to discovery of admissible evidence in light of the narrow issue remaining in this case, plaintiff's motions for discovery, to compel and for sanctions are denied [192, 197, 199]. It is further

RECOMMENDED that plaintiff's motion for preliminary injunction seeking relief regarding nondefendants and on issues unrelated to this case be denied [200].

Under 28 U.S.C. § 636(b)(1), the parties may make specific written exceptions to this recommendation within twenty days. The District Judge will consider only exceptions to the specific proposed findings and recommendations of this report. Exceptions should not include

matters outside of the report and recommendation. Other matters should be addressed in a separate pleading for consideration by the Magistrate Judge.

The statute provides for exceptions to be filed within ten days of the service of the report and recommendation. The court has extended that time to twenty days, and thus, additional time to file exceptions will not be granted unless there are exceptional circumstances. Failure to make specific written exceptions to this report and recommendation will result in a waiver of the right to appeal. See L.R. 74.1(a)(2).

Dated this 4th day of August, 2006, at Jefferson City, Missouri.

/s/ William A. Knox

WILLIAM A. KNOX
United States Magistrate Judge